From: Jason Pascucci
To: Microsoft ATR
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Subject: Microsoft Settlement

As a long time Microsoft user and software developer, and not having
particularly benefited because of it, I have several problems with the
Microsoft Settlement as it currently exists.

I believe that the fundamental problems of Microsoft's worst business
practices remain unaddressed. Some of those are:

a) Consistent business practice of taking existing innovations, stripping
them down to component parts, and producing a solution that is (usually
barely) 'good enough' without being 'better', where the real differentiator
is that they ship a 'good enough' solution free. By bundling many software
systems that fundamentally _do not_ belong to part of their Operating
System, they stifle competition.

The 'operating system' of a machine is a defined thing. It never had nor
ever should include a web browser, or a media player, or restrictive and
incompatible authentication models.

b) refusing to implement interoperable, 'open' and compatible solutions

(c.f. Sun's Java versus Microsoft's implementation, IE's built-in
incompatibility with existing standards (thus impacting Netscape), etc)

c) In Microsoft's quest for market dominance, they are so busy in pursuing
market-blocking activities that they fundamentally do not provide sufficient
resources to make their own products significantly better.

Microsoft does not significantly update products whose competitors do not
impinge on their existing, near dominant, market-share. They rely on the
fact that the barrier to entry is so high, and that existing problems
could be addressed for far less than the cost of full re-implementation,
to dissuade competition and avoid making important updates.

Fundamentally, the original proposals of splitting Microsoft may have been
adequate to level the playing field.

Another option not apparently considered, but the most useful to address the
problems, would be merely to force the unbundling of _all_ unrelated
components: if a user could buy each component separately, he could price
and compare products, and pick the one best suited to his needs. And, in
that scenario, Microsoft would be in the same boat as all other competitors:
either make better components, or risk losing business.

-JRP